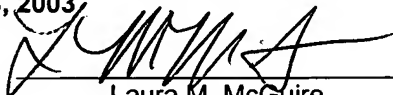


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| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE | |
| PRELIMINARY AMENDMENT | Atty. Docket No. (Opt.) UBAT1360-2 |
| Applicants: Michael A. Guillorn, et al. | |
| Application Number Unknown | Filed October 8, 2003 |
| For: Gated Fabrication of Nanostructure Field Emission Cathode Material Within a Device | |
| Group Art Unit Unknown | Confirmation Number: Unknown |

MAILSTOP Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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| <p align="center"><u>Certification Under 37 C.F.R. §1.10</u></p> <p>I hereby certify that this document is being deposited with the United States Postal Service as Express Mail No. EV338103215US to Addressee in an envelope addressed to: Mailstop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 8, 2003.</p> <p align="right">  Laura M. McGuire </p> |
|---|

Please enter this preliminary amendment prior to examination of the Divisional application. Please amend the Application as follows:

IN THE SPECIFICATION

Following the title, please replace the first paragraph with the following paragraph:

CROSS REFERENCE TO RELATED APPLICATIONS

This application is ~~related to a divisional of~~, and claims a benefit of priority under 35 U.S.C. 119(e) 35 U.S.C. 120 from ~~co~~pending U.S. Ser. No. 60/293,780, filed May 25, 2001, (ID No. 0960, S-96,723), U.S. Ser. No. 10/155,841, filed May 24, 2002, now pending, which in turn claims a benefit of priority under 35 U.S.C. § 119(e) from U.S. Provisional Application No. 60/293,780 filed May 25, 2001 (ID No. 0960, S-96,723) the entire contents of which are hereby expressly incorporated by reference for all purposes.